Application No. 10/811,972
Attorney Docket No. 34874-275 / 2003P00712US

REMARKS

Claims 1-16 are pending in this application. In an Office Action mailed October 30, 2006 ("OA"), the Examiner rejected claims 1-16. With this response, the Applicant amends claims 1-3, 6, and 12. The Applicant respectfully traverses the rejections and requests reconsideration based on the following remarks.

In addition, the Applicant does not necessarily agree with or acquiesce in the Examiner's characterization of the claims or the prior art, even if those characterizations are not addressed herein.

Claim Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1-16 under 35 U.S.C. § 103(a), as being obvious over U.S. Patent No. 6,370,525 ("Kaufman") in view of U.S. Publication No. 2002/0078091 ("Vu"). The Applicant respectfully traverses the rejection.

To establish a prima facie case of obviousness, MPEP § 2142 requires that (1) the prior art reference must teach or suggest all claimed elements, (2) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference, and (3) there must be a reasonable expectation of success.

Claim 17, as amended, recites "generating an intermediary document <u>substantially dependent on the identified relevant segments</u>, wherein the intermediary document identifies the relevant segments" (emphasis added).

Kaufman discloses a method and system using the results of a search performed on a database to assess the relevance of the documents retrieved from a search of an uncontrolled

-6-

public database having documents of highly variable quality. *See* Abstract. But, as noted by the Examiner, Kaufman fails to disclose generating an intermediary document. OA at page 2.

To overcome this deficiency, the Examiner relied on Vu. Vu provides a method for filtering documents to determine which features of a document are important and the features that can be safely discarded. Vu at page 1, paragraph 5 (denoted as subsequently as 1:5). Vu filters documents by examining the contextual data external to the document. *Id.* at 1:5. The contextual data can be obtained from meta-data associated with target document, user data associated with a user for which a summary of the target document is intended, or data from a network containing the target document. *Id.* at 1:10. This <u>contextual data is not dependent on semantic data</u>, which is the portion of the target document that one typically reads. *Id.* at 1:5 and 2:32. Vu's document summarizer uses the contextual data to tailor the summarization of the target document having the same or similar contextual data. *Id.* at 1:6. Based on the contextual data, the summarizer can determine which features of the target document are important and which features can be ignored. *Id.* at 1:6. In essence, Vu's document summarizer filters located documents, having the semantic content, <u>based on the contextual data and not the identified semantic content</u>. For example, it appears that Vu could summarize a news story by providing the opening paragraph having the requested semantic content, but not providing the news story's following paragraphs having the semantic content even though the user requested it specifically in the search request. *See Id.* at 1:7-8.

In contrast, the Applicant's claimed invention recites "generating an intermediary document <u>substantially dependent on the identified relevant segments</u>, wherein the intermediary document identifies the relevant segments" (emphasis added). Accordingly, because Vu bases the summarization on the contextual data instead of the semantic data, Kaufman and Vu fail to

-7-

disclose, teach, or suggest "generating an intermediary document substantially dependent on the identified relevant segments, wherein the intermediary document identifies the relevant segments." For at least these reasons, the Applicant respectfully submits that claim 1 is patentable over the cited prior art.

Claims 2-5 depend on claim 1 and are patentable for at least the same reasons as claim 1.

Independent claims 6 and 12 include language similar to claim 1 and are patentable over the cited prior art for at least the same reasons as discussed above with respect to claim 1.

Claims 7-11 and 13-16 depend on claims 6 and 12, respectively, and are patentable for at least the same reasons as claims 6 and 12.

-8-

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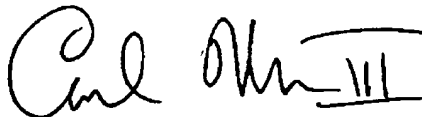**CENTRAL FAX CENTER**

CONCLUSION

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This Response is being submitted in reply to the Notice of Non-Compliant Amendment that was mailed from the Patent Office on February 26, 2007. Applicants submit an Amendment showing the proper claim status identifier for claims 1-3, 6, and 12 in compliance with 37 C.F.R. §1.121. No new matter has been added.

If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. No fee is believed to be due, however, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-275. Further, please change the attorney reference number to: Attorney's Docket No.: 34874-275.

Respectfully submitted,

Date: March 12, 2007

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-9-